

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES MCANDREW,

Plaintiff,

v.

**BUCKS COUNTY BOARD
OF COMMISSIONERS, et al.,**

Defendants.

:
:
:
:
:
:
:
:
:
:

CIVIL ACTION NO.

2:12-CV-4676

ORDER

AND NOW, this 8th day of November 2013, **IT IS HEREBY ORDERED:**

- 1.)** Defendants' motion to dismiss, (Doc. No. 4), is **GRANTED IN PART** and **DENIED IN PART**.
- 2.)** The motion to dismiss is **GRANTED** insofar as it seeks dismissal of Count I, plaintiff's First Amendment claim, against Commissioner defendants.
- 3.)** Count I is **DISMISSED WITHOUT PREJUDICE** as to the Commissioner defendants, and plaintiff is **GRANTED LEAVE TO AMEND** his complaint with respect to defendant Commissioners' personal involvement in the violation of plaintiff's First Amendment rights.
- 4.)** Count III of the complaint is **DISMISSED WITHOUT PREJUDICE**.
- 5.)** The motion to dismiss is **DENIED** in all other respects.

BY THE COURT:

/s/ C. Darnell Jones II, J.
C. DARNELL JONES II, J.